

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

NO. 7:05-CR-97-FL

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)  
IN THE MATTER OF THE )  
APPLICATION OF THE UNITED )  
STATES FOR AN ORDER )  
AUTHORIZING THE DESTRUCTION )  
OF INTERCEPTED WIRE, ORAL )  
AND/OR ELECTRONIC COMMUNICATIONS )  
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)

ORDER AUTHORIZING THE DESTRUCTION OF  
INTERCEPTED WIRE, ORAL AND/OR ELECTRONIC  
COMMUNICATIONS

Application under penalty of perjury having been made before me by an "investigative or law enforcement officer" as defined in 18 U.S.C. § 2510(7) and an "attorney for the government" as defined in Rule 1(b)(1) of the Federal Rules of Criminal Procedure, for an order authorizing the destruction of intercepted wire, oral and/or electronic communications, intercepted pursuant to 18 U.S.C. § 2510 et seq. and full consideration having been given to the matters set forth herein, the court finds:

On the 22nd day of March 2005, an order for the interception of wire, oral, and/or electronic communications was issued by Judge Louise Flanagan of this district to intercept the communications of Clemente BALTAZAR; Jose BORJA-Toribio; Angel TORRES; Roberto BORJA; Ruben BORJA; Eliasar BORJA; Abelardo BORJA over telephone number 910-385-4639 located at 2583 W. Wards Bridge Road, Warsaw, NC and

subscribed to by Sergio Valencia in connection with violations of federal law, that is violations of Title 21 U.S.C. 841(a)(1), distribution and possession with intent to distribute of controlled substances; Title 21 U.S.C. 843(b), unlawful use of a communication facility in committing or facilitating the commission of a Title 21 U.S.C. felony offense; and Title 21 U.S.C. 846, conspiracy to distribute controlled substances. Extensions of the original order were issued on 20<sup>th</sup> day of April 2005 by Judge Flanagan. The interceptions were terminated on the 19th day of May 2005. The intercepted communications were sealed by the court on the 24th day of May 2005.

The intercepted communications were subsequently used in the prosecution of Clemente BALTAZAR, Abelardo BORJA, Eliasar BORJA, Ruben BORJA, Juan Garcia CARDOSO, Concepcion CASTANDEA-Baltazar, Victorino DAMIAN, Jessie GARCIA, Edgar GONZALEZ, Jimmy JONES, Jose Saul MANDRAGON, Freedi Victor ORTIZ, Demetrio QUINTANA, Victor Macedo ROMAN, and Anastacio TORIBIO-Ascencio.

Ten years having elapsed from the time the tapes were originally sealed pursuant to 18 U.S.C. § 2518(8)(a), and there appearing to be no further need for their retention,

IT IS HEREBY ORDERED that the above-described intercepted wire, oral and/or electronic communications be destroyed by (identify the agency having possession), the lawful custodian designated by the issuing judge.

This the 28th day of January, 2016.



LOUISE W. FLANAGAN  
United States District Court Judge